07-05-05

AMENDMENT TRANSMITTAL

LICATION OF: MICKE et al.

SERIAL NO: 10/005,797

DATE FILED: November 2, 2001

METHOD AND APPARATUS FOR REMOVING OBSTRUCTIONS FOR:

IN MINES

MAIL STOP AMENDMENT COMMISSIONER FOR PATENTS P.O. BOX 1450 **ALEXANDRIA, VA 22313-1450**

"EXPRESS MAIL" LABEL NUMBER: EV 368074781 US

DATE OF DEPOSIT: June 30, 2005

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450

TYPED OR PRINTED NAME:

Kristin Sheek

CASE DOCKET NO. 3957-8-DIV

SIGNATURE:

SIR:

TRANSMITTED HEREWITH IS AN AMENDMENT IN THE ABOVE-IDENTIFIED APPLICATION

- SMALL ENTITY STATUS OF THIS APPLICATION UNDER 37 CFR 1.9 AND 1.27 HAS BEEN ESTABLISHED BY A [] VERIFIED STATEMENT PREVIOUSLY SUBMITTED.
- A VERIFIED STATEMENT TO ESTABLISH SMALL ENTITY STATUS UNDER 37 CFR 1.9 AND 1.27 IS ENCLOSED. []
- NO ADDITIONAL FEE IS REQUIRED.

THE FILING FEE HAS BEEN CALCULATED AS SHOWN BELOW:

	(COL. 1) CLAIMS REMAINING	(COL. 2) HIGHEST NO.		(COL. 3) PRESENT EXTRA	SMALL ENTITY			LARGE ENTITY		
	AFTER AMENDMENT	PREVIOUSLY PAID FOR			RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE	
TOTAL:	* 24	-	**	20	4	X \$25 =		OR	X \$50 =	\$200.00
INDEP:	3		***	3	0	X \$100 =	1	OR	X \$200 =	\$0.00
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS						+ \$180 =		OR	+ \$360 =	
ADDITIONAL FEES						TOTAL:		OR	TOTAL:	\$200.00

FIF THE ENTRY IN COL. 1 IS LESS THAN THE ENTRY IN COL. 2, WRITE "0" IN COL. 3.

THE "HIGHEST NUMBER PREVIOUSLY PAID FOR" (TOTAL OR INDEPENDENT) IS THE HIGHEST NUMBER FOUND FROM THE EQUIVALENT BOX IN COL. 1 OF A PRIOR AMENDMENT OR THE NUMBER OF CLAIMS ORIGINALLY FILED.

- PLEASE CHARGE DEPOSIT ACCOUNT NO. 19-1970 IN THE AMOUNT OF \$____. A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.
- A CHECK IN THE AMOUNT OF \$ 200 TO COVER THE FEE IS ENCLOSED. [X]
- THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE PAYMENT OF THE FOLLOWING FEES ASSOCIATED WITH THIS [X] COMMUNICATION OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 19-1970. A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.
 - ANY FILING FEES UNDER 37 CFR 1.16 FOR THE PRESENTATION OF EXTRA CLAIMS.
 - ANY PATENT APPLICATION PROCESSING FEES UNDER 37 CFR 1.17.

RESPECTFULLY SUBMITTED.

SHERIDAN ROSS P.C.

Mark W. Scott

Registration No. 52,202

^{**}IF THE "HIGHEST NUMBER PREVIOUSLY PAID FOR" IN THIS SPACE IS LESS THAN 20, WRITE "20" IN THIS SPACE.

^{***}IF THE "HIGHEST NUMBER PREVIOUSLY PAID FOR" IN THIS SPACE IS LESS THAN 3, WRITE "3" IN THIS SPACE.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

MICKE et al.

Application No.: 10/005,797

Confirmation No.: 1373

Filed: November 2, 2001

Atty. File No.: 3957-8-DIV

For: METHODS AND APPARATUS FOR

REMOVING OBSTRUCTIONS

IN MINES

Group Art Unit: 3643

Examiner: PRICE, THOMAS

AMENDMENT AND RESPONSE

"EXPRESS MAIL" MAILING LABEL NUMBER: EV 368074781 US DATE OF DEPOSIT: 6/30/05

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 C.F.R. 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO: MAIL STOP AMENDMENT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

TYPED OR PRINTED NAME: Kristin Sheek

SIGNATURE: Kresting M. Shools

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Applicant submits this Amendment and Response to address the Office Action having a mailing date of April 1, 2005. Although the Applicant believes that no fees are due for filing this Amendment and Response, please charge any fees deemed necessary to Deposit Account No. 19-1970. Reconsideration and withdrawal of the rejections of the claims are respectfully requested in view of the following amendments and remarks:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 10 of this paper.